

BUCHALTER NEMER
A Professional Corporation
MICHAEL L. MEEKS (SBN: 172000)
CAROL A. DWYER (SBN: 239769)
18400 Von Karman Avenue, Suite 800
Irvine, CA 92612-0514
Telephone: (949) 760-1121
Facsimile: (949) 720-0182
Email: mmeeks@buchalter.com
cdwyer@buchalter.com

**Attorneys for Defendant
GENE LINK, INC.**

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

TROLL BUSTERS© LLC

Plaintiff.

VS

ROCHE DIAGNOSTICS GMBH; ROCHE MOLECULAR SYSTEMS (RMS); ROCHE APPLIED SCIENCES EUROGENTEC NORTH AMERICA, INC.; CLONTECH LABORATORIES, INC.; INTEGRATED DNA TECHNOLOGIES (IDT); LIFE TECHNOLOGIES CORPORATION QUIAGEN NV.; THERMO FISHER SCIENTIFIC, INC.; GENE LINK, INC.; GENSCRIPT USA, INC.; EMD CHEMICALS INC.; TRILINK BIOTECHNOLOGIES INC.; AND CEPHIED.

Defendants.

Case No. 11CV0056 JEG (WVG)

CERTIFICATE OF SERVICE

Date: June 13, 2011
Time: 10:30 a.m.
Crtrm: 1, Fourth Floor
Judge Hon. Irma E. Gonzalez

CERTIFICATE OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is at BUCHALTER NEMER, A Professional Corporation, 18400 Von Karman Avenue, Suite 800, Irvine, California 92612-0514.

On the date set forth below, I served the foregoing document described as:

NOTICE OF MOTION AND MOTION TO DISMISS BY
DEFENDANT GENE LINK, INC. AND JOINDER IN MOTION TO
DISMISS FILED BY DEFENDANTS ROCHE DIAGNOSTICS AND
ROCHE MOLECULAR SYSTEMS [DOCKET NO. 91-1]

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT
OF NOTICE OF MOTION AND MOTION TO DISMISS BY
DEFENDANT GENE LINK, INC. AND JOINDER IN MOTION TO
DISMISS FILED BY DEFENDANTS ROCHE DIAGNOSTICS AND
ROCHE MOLECULAR SYSTEMS [DOCKET NO. 91-1]

on all other parties and/or their attorney(s) of record to this action by _____ faxing
and/or XXX placing a true copy thereof in a sealed envelope as follows:

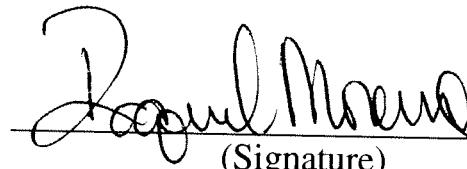
SEE ATTACHED SERVICE LIST

BY ELECTRONIC FILING I am familiar with the United States District Court, Southern District of California's practice for collecting and processing electronic filings. Under that practice, documents are electronically filed with the Court. The Court's CM/ECF system will generate a Notice of Electroinc Filing (NEF) to the filing party, the assigned judge, and any registered users in the case. The NEF will constitute service of the document. Registration as a CM/ECF user constitutes consent to the electronic service through the Court's transmission facilities. Under said practice, the parties listed as so served on the attached service list were served via CM/ECF on May 6, 2011.

1 **BY MAIL** I am readily familiar with the business' practice for collection
2 and processing of correspondence for mailing with the United States Postal Service.
3 The address(es) shown on the attached service list of the parties listed as so served
4 is(are) the same as shown on the envelope. The envelope was placed for deposit in
5 the United States Postal Service at Buchalter Nemer in Irvine, California on May 6,
6 2011. The envelope was sealed and placed for collection and mailing with first-
7 class prepaid postage on this date following ordinary business practices.

8 I declare that I am employed in the office of a member of the bar of this court
9 at whose direction the service was made. Executed on May 6, 2011, at Irvine,
10 California.

11 Raquel Moreno



(Signature)

Troll Busters, LLC v. Roche Diagnostics GMBH, et al.
United States District Court, Southern District of California (San Diego)
Case No. 3:11-cv-0056-IEG-WVG
SERVICE LIST

Karl A. Rupp, Esq.
Kendall Law Group LLP
3232 McKinney Avenue
Suite 700
Dallas, TX 75204
Tel: (214)744-3000
Fax: (214)744-3015
Email: krupp@kendalllawgroup.com

Attorneys for
Plaintiff Troll Busters, LLC

Alan D. Albright, Esq.
Bracewell & Giuliani LLP
111 Congress Avenue
Suite 2300
Austin, TX 78701
Tel: (512) 472-7800
Fax: (512) 479-3920
Email: *Albright@fe.com*

Attn: **Attorneys for Plaintiff
Troll Busters, LLC**
Via Electronic Filing

Bradley Jason Benoit, Esq.
Bracewell & Giuliani LLP
711 Louisiana Street
Suite 2300
Houston, TX 77002
Tel: (713) 221-1224
Fax: (713) (713) 222-3204
Email: *brad.benoit@bgllp.com*

Attnorneys for Plaintiff
Troll Busters, LLC

Via Electronic Filing

Heath Aaron Novosad, Esq.
Bracewell & Giuliani LLP
711 Louisiana Street
Suite 2300
Houston, TX 77002
Tel: (713) 221-1258
Fax: (713) (713) 437-5356
Email: *heath.novosad@bgllp.com*

Attorneys for Plaintiff
Troll Busters, LLC

1 **Ralph D. McBride, Esq.**
2 Bracewell & Giuliani LLP
3 711 Louisiana Street
4 Suite 2300
5 Houston, TX 77002
6 Tel: (713) 221-1208
7 Fax: (713) (713) 222-3261
8 Email: *ralph.mcbridet@bgllp.com*

Attorneys for Plaintiff
Troll Busters, LLC

Via Electronic Filing

9 **Bradley E. Beckworth, Esq.**
10 Nix Patterson & Roach, LLP
11 205 Linda Drive
12 Daingerfield, TX 75639
13 Tel: (903) 645-7333
14 Fax: (903) 645-5389
15 Email: *bbeckworth@nixlawfirm.com*

Attorneys for
Plaintiff Troll Busters, LLC

Via Electronic Filing

16 **Derek T. Gilliland, Esq.**
17 Nix Patterson & Roach, LLP
18 205 Linda Drive
19 Daingerfield, TX 75639
20 Tel: (903) 645-7333
21 Fax: (903) 645-5389
22 Email: *dgilliland@nixlawfirm.com*

Attorneys for
Plaintiff Troll Busters, LLC

Via Electronic Filing

23 **Brian C. Cannon, Esq.**
24 Quinn Emanuel Urquhart & Sullivan LLP
25 555 Twin Dolphin Drive
26 5th Floor
27 Redwood Shores, CA 94065
28 Tel: (650)801-5000
 Fax: (650)801-5100
 Email: *briancannon@quinnemanuel.com*

Attorneys for
Defendants Roche Molecular
Systems (RMS); Roche Applied
Sciences; and Roche Diagnostics
GMBH

Via Electronic Filing

1 **Rory S. Miller, Esq.**
 2 Quinn Emanuel Urquhart & Sullivan, LLP
 3 865 S. Figueroa Street, 10th Floor
 4 Los Angeles, CA 90017
 5 Tel: 213-443-3004
 6 Fax: 213-443-3100
 7 Email: rormiller@quinnmanuel.com

Attorneys for
 Defendants Roche Molecular
 Systems (RMS); Roche Applied
 Sciences; and Roche Diagnostics
 GMBH

Via Electronic Filing

8 **Jeffrey Alan McKinney, Esq.**
 9 McKinney Law Group
 10 851 Moraga Road
 11 Lafayette, CA 94549
 12 Tel: (650) 245-6723
 13 Fax: (925) 962-0392
 14 Email: jeffrey@mckinneylawgroup.com

Attorneys for
 Defendant Eurogentec North
 America Inc.

Via Electronic Filing

12 **John Thomas Gilbert, Esq.**
 13 Patton Boggs LLP
 14 2000 McKinney Avenue
 15 Suite 1700
 16 Dallas, TX 75201
 17 Tel: (214) 758-1500
 18 Fax: (214) 758-1550
 19 Email: tgilbert@pattonboggs.com

Attorneys for
 Defendant Clontech Laboratories
 Inc.

Via Electronic Filing

18 **Kenneth Moore Fitzgerald, Esq.**
 19 Chapin Fitzgerald Sullivan LLP
 20 550 West C Street
 21 Suite 2000
 22 San Diego, CA 92101
 23 Tel: (619) 241-4810
 24 Fax: (619) 955-5318
 25 Email: kfitzgerald@cfslawfirm.com

Attorneys for
 Defendants Integrated DNA
 Technologies (IDT); Thermo Fisher
 Scientific, Inc.

Via Electronic Filing

24 **Cora Louise Schmid, Esq.**
 25 Life Technologies Corporation
 26 850 Lincoln Centre Drive
 27 Foster City, CA 94404
 28 Tel: (650) 638-6245
 29 Fax: (650) 638-6677
 30 Email: cora.schmid@lifetech.com

Attorneys for
 Defendant Life Technologies
 Corporation

Via Electronic Filing

1 **Michael James Engle, Esq.**
2 Perkins Coie LLP
3 1888 Century Park East, Suite 1700
4 Los Angeles, CA 90067-1721
5 Tel: 310-788-9900
6 Fax: 310-788-3399
7 Email: mengle@perkinscoie.com

8 **Manuel Craig Nelson, Esq.**
9 Connolly Bove Lodge & Hutz LLP
10 333 South Grand Avenue
11 Suite 2300
12 Los Angeles, CA 90071
13 Tel: (213) 787-2500
14 Fax: (213) 687-0498
15 Email: mnelson@cblh.com

16 **Arthur Albert Wellman , Jr., Esq.**
17 3852 Wildwood Road
18 San Diego, CA 92107
19 Tel: (619)223-6014
20 Fax: (619)523-9228
21 Email: wellmana@sbcglobal.net

22 **Karen Irene Boyd, Esq.**
23 Turner Boyd LLP
24 2570 West El Camino Real
25 Suite 380
26 Mountain View, CA 94040
27 Tel: (650) 521-5930
28 Fax: (650) 521-5931
 Email: boyd@turnerboyd.com

2 **Matthew D. Murphey, Esq.**
3 Troutman & Sanders LLP
4 550 West B Street, Suite 400
5 San Diego, CA 92101-3599
6 Tel: (619) 235-4040
7 Fax: (619) 231-8796
8 Email: matt.murphey@troutmansanders.com

Attorneys for Defendant Quanta Biosciences, Inc.
Via Electronic Filing

Attorneys for Defendant EMD Chemicals Inc.
Via Electronic Filing

Attorneys for Defendant TriLink BioTechnologies, Inc.
Via Electronic Filing

Attorneys for Defendant Cephied
Via Electronic Mail

Attorneys for Defendant Life Technologies Corporation
Via Electronic Mail

1 **Autumn N. Nero, Esq.**
2 **Michelle M. Umberger, Esq.**
3 Perkins Coie LLP
4 One East Main Street
5 Suite 201
6 Madison, WI 53703
7 Tel: (608) 663-7460
8 Fax: 608-663-7499
9 Email: *anero@perkinscoie.com*
10 *mumberger@perkinscoie.com*

Attorneys for
Defendant Quanta Biosciences, Inc.

Via Electronic Mail

11 **Paul M. Booth, Esq.**
12 Perkins Coie LLP
13 700 Thirteenth Street, NW
14 Suite 600
15 Washington, DC 20005-3960
16 Tel: (202) 654-6200
17 Fax: (202) 434-1690
18 Email: *PBooth@perkinscoie.com*

Attorneys for
Defendant Quanta Biosciences, Inc.

Via Electronic Mail

19 **Caroline C. Maxwell, Esq.**
20 Patton Boggs LLP
21 2000 McKinney Avenue
22 Suite 1700
23 Dallas, TX 75201
24 Tel: (214) 758-1500
25 Fax: (214) 758-1550
26 Email: *cmaxwell@pattonboggs.com*

Attorneys for
Defendant Clontech Laboratories
Inc.

Via Electronic Mail

27 **Kevin Monroe Bell, Esq.**
28 Patton Boggs LLP
29 8484 Westpark Drive
30 Suite 900
31 McLean, VA 22102
32 Tel: (703) 744-8065
33 Fax: (703) 744-8001
34 Email: *kbell@pattonboggs.com*

Attorneys for
Defendant Clontech Laboratories
Inc.

Via United States Mail

1 **Richard J. Oparil, Esq.**
2 Patton Boggs LLP
3 2550 M Street, NW
4 Washington, DC 20037
5 Tel: (202) 457-6496
6 Fax: (202) 457-6315
7 Email: *roparil@pattonboggs.com*

Attorneys for
Defendant Clontech Laboratories
Inc.

Via Electronic Mail

8 **Stephen B. Crain, Esq.**
9 Bracewell & Giuliani LLP
10 711 Louisiana Street
11 Suite 2300
12 Houston, TX 77002
13 Tel: (713) 221-1305
14 Fax: (713) 713.437.5305
15 Email: *stephen.crain@bgllp.com*

Attorneys for Plaintiff
Troll Busters, LLC

Via Electronic Mail

16
17
18
19
20
21
22
23
24
25
26
27
28